



**STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES**

P.O. BOX 119
HONOLULU, HAWAII 96810-0119

MARY PATRICIA WATERHOUSE
DEPUTY COMPTROLLER

February 18, 1999

COMPTROLLER'S MEMORANDUM 1999-06

TO: All State Executive Departments
All County Mayors
All Chief Procurement Officers
Hawaii Health System Corporation, Executive Director

FROM: *Raymond H. Sato*
Raymond H. Sato, State Comptroller

SUBJECT: Publication of State and County Government Public Notices

The State has contracted with RFD Publications, Inc. (RFD) to handle all statewide and countywide publication of government notices. This memo includes information on pricing, terms and conditions, policies, and instructions for placing a public notice. Procurement notices under Chapters 103D and 103F, Hawaii Revised Statutes (HRS), are exempt from this contract.

On a weekly basis, RFD will publish a separate publication for each county called the Hawaii State & County Public Notices (HS&CPN) that will exclusively list State and County public notices. The HS&CPN will be issued every Monday. However, should a Federal holiday fall on a Monday, Tuesday will be the issue day.

There will be four issues of the HS&CPN; City & County of Honolulu, County of Hawaii, County of Maui and County of Kauai. Statewide notices will be placed in all four issues.

INTENT

Act 2, Session Laws of Hawaii 1998 ("Act 2"), enacted a new scheme of providing statewide and countywide public notice of government agency actions and activities. The intent is to provide more consistent and better alternatives to government agencies in giving public notice while at the same time providing government agencies with the opportunity to reduce costs of public notice without adversely affecting the public's right to notice.

INTENT continued.

Section 2 of Act 2 adds a new statutory section, which provides in part:

- (b) For purposes of this section, the comptroller shall determine a consistent publication procedure to enable the public to go to one source of publication for published public notice on each island.

Each state public library was determined to be the location on each island where all government public notices (copies of each version of HS&CPN) will be available to the public.

Act 2 is a law of general applicability. When an agency's charter, rule or ordinance is in conflict with a law of general applicability it should not be enforced to the extent of the conflict or inconsistency. In this regard, we request that the agency take action to eliminate the conflict or inconsistency.

APPLICATION

This contract shall be utilized by all State and County agencies (agencies) when they are required by regulatory provisions, e.g. statute, rule, ordinance, etc., to provide public notice. Public notices include, but are not limited to, notices of public hearings, special elections, legislative reapportionment plans, public auctions, sales of bonds, payments of warrants, and unclaimed properties.

Should an agency's charter, rule, ordinance, etc. be in conflict with Act 2, the agency shall use this contract as a primary means of giving public notice. Additional means (i.e. a daily newspaper) may be used to satisfy the agency's charter, rule, ordinance, etc. In essence, agencies shall place an ad with RFD first and then may go to another source for additional public notice. Agencies are encouraged to take appropriate action to eliminate the conflict or inconsistency with Act 2.

As procurement notices under Chapters 103D and 103F, HRS, are exempt from this contract, the State Procurement Office will issue a separate price list for procurement notices at a later date.

DISTRIBUTION

In addition to all public libraries and on the internet (see **ELECTRONIC POSTING** page 6), the public notices will be available statewide at selected State and County buildings, all 7-11 stores, various neighborhood stores and through direct mail.

DISTRIBUTION continued.

Should an agency, business, and/or resident wish to receive a copy of the HS&CPN, they may contact RFD, telephone (808)235-5881, fax (808)235-9498, or e-mail cahana@midweek.com, to be placed on RFD's mailing list. By the same token, should someone want to be deleted from the mailing list, they should contact RFD.

EXCEPTIONS

The State Comptroller will be the sole approver of exceptions. Exceptions will be reviewed on a case-by-case basis and approval will be rare. See attached exception form (SPO Form 5A). Please bear in mind that this contract shall be the primary means of giving public notice with additional means (i.e. a daily newspaper) permissible.

Examples:

1. An agency is required by ordinance to give public notice for three consecutive days. The agency must place an ad with RFD for one day and may go through another source for the other two days to satisfy the ordinance. In this case an exception will not be required.
2. An agency has meetings scheduled during the week and does not have sufficient time to provide an agenda to be published in the HS&CPN. However, due to regulatory requirements, a public notice of the agenda must be given three working days prior to the meeting date. The meeting date is May 19, 1999 so the agenda must be published by May 14, 1999. The agency is unable to meet the HS&CPN May 10th publication and the May 17th issue would be too late. Take the following course of action: submit a public notice to RFD for the May 10th HS&CPN publication. In this notice inform the public that the agenda for the May 19th meeting will be published in _____ newspaper on _____ (date).

This course of action would not be considered an exception. The agency has intended to comply with Act 2 by providing public notice through a single source available to the public. At a minimum cost, the agency has informed the public where and when the agenda will be published.

EFFECTIVE DATES

The contract takes effect on February 22, 1999 for an initial one-year period ending February 21, 2000, with an opportunity for four 12-month extensions. The first publication of HS&CPN is scheduled for March 1, 1999.

METHODS OF PLACING A PUBLIC NOTICE

Please fill in the attached order form when submitting your ads. The methods for placing an ad are:

- 1. **BY FAX:** On Oahu, please fax your ad to (808) 235-9498. For the neighbor island agencies, please use the toll-free fax number: 1-877-274-5944.
Alternate fax nos.
(808) 247-7246
(808) 247-4629

- 2. **OVER THE PHONE:** Call (808) 235-5881 for the Classified Dept.
After hours, please call (808) 235-5886 and leave a voice mail message at ext. 386 for Celeste Ahana, Classified Manager.

For the neighbor island agencies, please call the following toll-free no.:
1-800-417-3484

- 3. **ON DISKETTE:** For those submitting their ads on a diskette, RFD's business hours are: 8:30am – 4:30pm Monday through Friday

or you can mail them to: Attn.: Classified Department
RFD Publications Inc.
45-525 Luluku Road
Kaneohe, HI 96744

**The easiest way for RFD to retrieve your files would be if you save them as text files.*

- 4. **VIA E-MAIL:** E-mail your ad to: Primary e-mail address:
mweekads@midweek.com
Alternate e-mail address:
cahana@midweek.com

Please call to get confirmation on receipt of the e-mail. Note: If you are e-mailing graphics, please save document in "tiff" format.

PRICING INFORMATION

The following rates are per insertion for legal, classified and display notices:

STATEWIDE COVERAGE \$62.15 per column inch

Notices will appear in all versions of HS&CPN

PRICING INFORMATION continued.

CITY & COUNTY OF HONOLULU. \$24.30 per column inch

Notices will appear only in the HS&CPN City & County of Honolulu version distributed on Oahu.

COUNTY OF HAWAII. \$19.95 per column inch

Notices will appear only in the HS&CPN County of Hawaii version distributed on the Big Island.

COUNTY OF MAUI \$ 8.75 per column inch

Notices will appear only in the HS&CPN County of Maui version distributed on Maui.

COUNTY OF KAUAI. \$ 5.80 per column inch

Notices will appear only in the HS&CPN County of Kauai version distributed on Kauai.

NOTE: Orders placed in all four versions of the HS&CPN will automatically be charged at the Statewide rate of \$62.15.

DEADLINE & LEAD TIMES

Two-Proof Service: Notices that require two proofs prior to approval must be submitted no later than **FIVE (5) WORKING DAYS** prior to the Monday of publication. Therefore, copy must be submitted by 4:30pm on the preceding Monday. Examples of an ad requiring two-proof service would be one involving graphics which RFD's art department would have to build or a very lengthy text ad.

One-Proof Service: Notices that require one-proof service prior to approval must be submitted no later than **FOUR (4) WORKING DAYS** prior to the Monday of publication. Therefore, copy must be submitted by 4:30pm on the preceding Tuesday.

Final Corrections: Both final corrections and camera-ready materials must be submitted by 12:00 noon Wednesdays, **THREE (3) WORKING DAYS** prior to the Monday of publication. A free pick-up service is available for camera-ready materials.

Note: Should a State holiday fall on a Monday, Tuesday or Wednesday, deadlines shall move back one day. For example, if the holiday is on a Monday, the deadline for a two-proof service becomes the prior Friday.

COLUMN SIZES

Please adhere to the following column sizes when submitting camera-ready public notices:

<i>Width</i>		<i>Depth</i>
1 column	1-3/8"	Incremental charges are based on one fourth (1/4) of an inch.
2 columns	3"	
3 columns	4-11/16"	
4 columns	6-5/16"	
5 columns	7-15/16"	
6 columns	9-9/16"	

FONT SIZE AND TYPEFACE

Schoolbook shall be considered the standard typeface for legal notices unless otherwise specified. Headings and subject lines will be 8 point bold, and body copy will be 6 point unless otherwise directed by agencies ordering notices. When the industry standard is ordered, ads will be set in 9 point Schoolbook regular. See attached sample of font sizes and schoolbook typefaces. If, for any reason, an agency requires a different font size or typeface, please contact RFD.

ELECTRONIC POSTING

All public notices will be posted by Mondays on MidWeek's website www.midweek.com, which will also provide a link to the Hawaii State Government Home page, www.state.hi.us. If there are any comments or suggestions regarding the website, please contact Mr. Alan Stewart, RFD Systems Manager, telephone 235-5881 or e-mail astewart@midweek.com.

ERRORS AND ADJUSTMENTS

To ensure your scheduled advertising date, orders must be received within the specified deadlines. You will receive a copy of the public notice. Please proof thoroughly. RFD will not be responsible for any errors, typographical or otherwise once the proof has been approved and signed by the customer. For any public notice with errors due to RFD, a full credit shall be issued to the agency, unless a corrected publication is printed in a timely manner satisfactory to the agency. Please check your ads for errors and notify the Classified Department immediately. RFD will not be responsible for errors after the FIRST publication of any advertisement.

BILLING & AFFIDAVITS OF PUBLICATIONS

Purchase order numbers must be provided when submitting your ads. Invoices will be sent out on the last run date, together with the corresponding affidavit of publication.

CONTACT PERSON AT RFD

Should you have any questions or problems, RFD's contact person is Mrs. Lourdes Mapa, Special Projects Manager, telephone (808)235-5881x348 or fax (808)235-9498.

Note: Please make every effort to resolve your issues with RFD before contacting the State Procurement Office.

CONTRACT ADMINISTRATOR

The contract administrator is Mrs. Fran Villarmia-Kahawai of the State Procurement Office, telephone (808)586-0563, fax (808)586-0570 or e-mail at fran_villarmia-kahawai@state.hi.us.

Attach. 3

STATE OF HAWAII

**REQUEST FOR AUTHORIZATION TO PURCHASE OUTSIDE OF THE CONTRACT
FOR PUBLICATION OF STATE AND COUNTY GOVERNMENT PUBLIC NOTICES ISSUED
BY THE STATE COMPTROLLER PURSUANT TO ACT 2, SLH 1998**

(NOTE: SUBMIT THIS REQUEST TO THE STATE COMPTROLLER)

TO: Raymond H. Sato, State Comptroller

Fax No. (808) 586-0775

FROM: _____
(Department/Division/Agency)

Exception to purchase from a source other than RFD Publications, Inc. (RFD) is requested as follows:

Unit Price:	Description:

Justification to purchase from another source (why publication under the terms of the contract with RFD cannot meet agency needs):

For your information, we propose to purchase the publication as follows:

Name of vendor	Unit Price
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Direct questions to: _____ Phone: _____

Approval Recommended by:

Signature	Title	Date
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Recommendation of Staff: _____ Approval _____ Disapproval _____ No Action Required

Comments:

Signature _____ Title _____ Date _____

ACTION BY STATE COMPTROLLER:

_____ Approved _____ Denied

_____ State Comptroller _____ Date

REF. NO. _____

AD PLACEMENT FORM

A. Name of Department/Agency: _____

B. Date of Publication: _____

C. Please check which version of the HS&CPN the public notice will be placed in:

☐ Statewide

Check below only if you are **NOT** putting the public notice statewide.

☐ City & County of Honolulu

☐ County of Hawaii

☐ County of Maui

☐ County of Kauai

D. Classification: (Please check only **ONE**)

☐ Foreclosures

☐ Notices To Dissolve Corporations

☐ Help Wanted

☐ Notices To Motorists

☐ Notices of Intent To Withdraw

☐ Public Hearings

☐ Notices To Creditors

☐ Summons

☐ Notices of Change of Name

☐ Court Notices

☐ Notices of Completion of Contract

☐ Miscellaneous

☐ Notices of Final Settlement

Other, please specify: _____

E. Contact Person: (Handling the ads): _____

F. Address*: _____

G. Tel. No.*: _____

H. Fax. No.*: _____

I. E-mail address*: _____

J. Billing Address if different*: _____

K. P.O. No.: _____

L. Comments (if any): _____

**Only for those advertising for the first time.*

SCHOOLBOOK FONT

Default Font/Size
8 Point/
6 Point

FIRST CIRCUIT
COURT
NOTICE AND NOTICE
TO CREDITORS

P. No. 98-0742
ESTATE OF STEVE RAMIREZ
VERGARA, also known as Steve
Ramirez Vergara, Sr. and Steve R
Vergara, Deceased

FILED, a document purporting to
be the Last Will and Testament of
the above-named decedent who
died on May 18, 1998, together
with an Application by Charmaine
A. Vergara, whose address is 87-
221A Auyong Homestead Road,
Waianae, Hawaii 96792, prating
for informal probate and issuance
of Letters to Charmaine A. Vergara
and Leilani V. Alcover.

If any interested person has
objection to the informal probate,
he may file a petition for formal
testacy proceedings within forty
(40) days after the first publication
of this notice, if any interested
person desires further notice
concerning the closing and
distribution of the estate, he must
file a Demand for Notice pursuant
to HRS section 560-3-204.

All creditors of the above-named
estate are hereby notified to
present their claim with proper
vouchers or duly authenticated
copies thereof even if the claim is
secured by mortgage upon real
estate, to said nominee, at the
address shown above, within four
(4) months from the date of the
first publication of this notice, or
they will be forever barred.

DATED: Honolulu, Hawaii,
December 14, 1998.
G. HA
CLERK
Case Bigelow & Lombardi
Frank T. Kanemitsu
Attorneys for Applicant
HS&CPN 0002659
December 9, 16, 23, 1998

Industry Standard
9 Point

NOTICE OF INTENT
TO WITHDRAW OF
CARLSON
RESTAURANTS
WORLDWIDE, INC.

Notice is hereby given
that the undersigned
foreign corporation
intends to apply to the
Department of
Commerce & Consumer
Affairs of the State of
Hawaii for a Certificate
of Withdrawal.
Dated this 18th day of
November, 1998.
Carlson Restaurants
Worldwide Inc.
By: D.M. Hamann
Its Vice President-Tax
HS&CPN 000568
December 9, 16, 23,
1998